

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

ORANGEBURG DIVISION

Morris Aiken, Rosland Baker, Wanda Bowman,)
Althea Brown, Fred Brown, Natalie Brown,)
Celia Davis, Latoya Echols, Jonathan Evans,)
Margaret Felder, Chantelle Fine, Sandy)
Franklin, Cynthia Green, Evelyn Haddock,)
Derrick Hampton, David Harley, Timothy)
Haywood, Christopher James, Sonya Jamison,)
Constance Johnson, Thomas Johnson, Kerry)
King, Roxanne LaLande, Angeline Lee,)
Emmanuel McDuffie, Harrie Mintz, Monica)
Morgan, Anthony Muir, Ora Murray, Gregory)
Paul, Eartha Powell, Martin Revander, Marvin)
Rhodan, Toni Robinson-Orr, Deleasera Rogers,)
Sonya Rogers, Nelson Satones, Mary Sellers,)
Ellen Smalls, John Stokes, Kendric Tyler,)
Rodney T. Tyler, Sr., Tonya Tyler, Tomeka)
West, Janet Williams, Melanie Williams, both)
individually and on behalf of all other similarly)
situated persons,)

Plaintiffs,)

v.)

Orangeburg County, Calhoun County, and)
the Orangeburg-Calhoun Detention Center,)

Defendants.)

C.A. No. _____

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, this action is being removed from the Court of Common Pleas for Orangeburg County, South Carolina, to the United States District Court for the District of South Carolina. Removal is proper on the following grounds:

1. On April 10, 2012, Plaintiff filed a Complaint, captioned *Morris Aiken, Rosland Baker, Wanda Bowman, Althea Brown, Fred Brown, Natalie Brown, Celia Davis, Latoya Echols, Jonathan Evans, Margaret Felder, Chantelle Fine, Sandy Franklin, Cynthia Green, Evelyn Haddock, Derrick Hampton, David Harley, Timothy Haywood, Christopher James, Sonya Jamison, Constance Johnson, Thomas Johnson, Kerry King, Roxanne LaLande, Angeline Lee, Emmanuel McDuffie, Harrie Mintz, Monica Morgan, Anthony Muir, Ora Murray, Gregory Paul, Eartha Powell, Martin Revander, Marvin Rhodan, Toni Robinson-Orr, Deleasera Rogers, Sonya Rogers, Nelson Satones, Mary Sellers, Ellen Smalls, John Stokes, Kendric Tyler, Rodney T. Tyler, Sr., Tonya Tyler, Tomeka West, Janet Williams, Melanie Williams, both individually and on behalf of all other similarly situated persons vs. Orangeburg County, Calhoun County, and the Orangeburg-Calhoun Detention Center*, C.A. No. 2012-CP-38-00501, against Defendants in the Court of Common Pleas for Orangeburg County, South Carolina. On April 23, 2012, Plaintiff served Defendant Calhoun County with the Summons and Complaint; on April 24, 2012, Plaintiff served Defendant Orangeburg County with the Summons and Complaint; and on May 2, 2012, Plaintiff served Defendant the Orangeburg-Calhoun Detention Center with the Summons and Complaint.

2. The action referred to above is a civil action over which this Court has original and removal jurisdiction under 28 U.S.C. §§ 1331 and 1441 in that it appears on the face of the complaint that the action arises under the laws of the United States as Plaintiff has set forth causes of action under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* Accordingly, the action is one that may be removed to this Court by Defendants pursuant to 28 U.S.C. §§ 1331, 1441, and 1446.

3. This Notice of Removal is timely filed under 28 U.S.C. § 1446(b) in that it is filed within 30 days after Defendants' receipt of the initial pleading.

4. Copies of all process and pleadings served to date are attached to and filed with this Notice of Removal.

5. Written notice of the filing of this Notice of Removal will be promptly served on Plaintiff.

6. A true and correct copy of this Notice of Removal will be filed with the Clerk of Court for the Court of Common Pleas for Orangeburg County, South Carolina, as required under 28 U.S.C. § 1446(d).

WHEREFORE, Defendants remove this action to this Court's jurisdiction.

Columbia, South Carolina

May 22, 2012

s/ Fred A. Williams
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